

FIRST REGULAR SESSION

HOUSE BILL NO. 71

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DINKINS.

0722H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 193.265, RSMo, and to enact in lieu thereof one new section relating to vital records.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 193.265, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 193.265, to read as follows:

193.265. 1. For the issuance of a certification or copy of a death record, the applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of eleven dollars for each additional copy ordered at that time. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal death record, the applicant shall pay a fee of fifteen dollars. No fee shall be required or collected for a certification of birth, death, or marriage if the request for certification is made by the children's division, the division of youth services, a guardian ad litem, or a juvenile officer on behalf of a child or person under twenty-one years of age who has come under the jurisdiction of the juvenile court under section 211.031. All fees collected under this subsection shall be deposited to the state department of revenue. Beginning August 28, 2004, for each vital records fee collected, the director of revenue shall credit four dollars to the general revenue fund, five dollars to the children's trust fund, one dollar shall be credited to the endowed care cemetery audit fund, one dollar for each certification or copy of death records to the Missouri state coroners' training fund established in section 58.208, and three dollars for the first copy of death records and five dollars for birth, marriage, divorce, and fetal death records shall be credited to the Missouri public health services fund established in section 192.900. Money in the endowed care cemetery audit fund shall be available by appropriation to the division of professional registration to pay its

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 expenses in administering sections 214.270 to 214.410. All interest earned on money
19 deposited in the endowed care cemetery audit fund shall be credited to the endowed care
20 cemetery fund. Notwithstanding the provisions of section 33.080 to the contrary, money
21 placed in the endowed care cemetery audit fund shall not be transferred and placed to the
22 credit of general revenue until the amount in the fund at the end of the biennium exceeds three
23 times the amount of the appropriation from the endowed care cemetery audit fund for the
24 preceding fiscal year. The money deposited in the public health services fund under this
25 section shall be deposited in a separate account in the fund, and moneys in such account, upon
26 appropriation, shall be used to automate and improve the state vital records system, and
27 develop and maintain an electronic birth and death registration system. For any search of the
28 files and records, when no record is found, the state shall be entitled to a fee equal to the
29 amount for a certification of a vital record for a five-year search to be paid by the applicant.
30 For the processing of each legitimation, adoption, court order or recording after the
31 registrant's twelfth birthday, the state shall be entitled to a fee equal to the amount for a
32 certification of a vital record. Except whenever a certified copy or copies of a vital record is
33 required to perfect any claim of any person on relief, or any dependent of any person who was
34 on relief for any claim upon the government of the state or United States, the state registrar
35 shall, upon request, furnish a certified copy or so many certified copies as are necessary,
36 without any fee or compensation therefor.

37 2. For the issuance of a certification of a death record by the local registrar, the
38 applicant shall pay a fee of fourteen dollars for the first certification or copy and a fee of
39 eleven dollars for each additional copy ordered at that time. For each fee collected under this
40 subsection, one dollar shall be deposited to the state department of revenue and the remainder
41 shall be deposited to the official city or county health agency. The director of revenue shall
42 credit all fees deposited to the state department of revenue under this subsection to the
43 Missouri state coroners' training fund established in section 58.208.

44 3. For the issuance of a certification or copy of a birth, marriage, divorce, or fetal
45 death record, the applicant shall pay a fee of fifteen dollars; except that, in any county with a
46 charter form of government and with more than six hundred thousand but fewer than seven
47 hundred thousand inhabitants, a donation of one dollar may be collected by the local registrar
48 over and above any fees required by law when a certification or copy of any marriage license
49 or birth certificate is provided, with such donations collected to be forwarded monthly by the
50 local registrar to the county treasurer of such county and the donations so forwarded to be
51 deposited by the county treasurer into the housing resource commission fund to assist
52 homeless families and provide financial assistance to organizations addressing homelessness
53 in such county. The local registrar shall include a check-off box on the application form for
54 such copies. All fees collected under this subsection, other than the donations collected in

55 any county with a charter form of government and with more than six hundred thousand but
56 fewer than seven hundred thousand inhabitants for marriage licenses and birth certificates,
57 shall be deposited to the official city or county health agency.

58 4. A certified copy of a death record by the local registrar can only be issued within
59 twenty-four hours of receipt of the record by the local registrar. Computer-generated
60 certifications of death records may be issued by the local registrar after twenty-four hours of
61 receipt of the records. The fees paid to the official county health agency shall be retained by
62 the local agency for local public health purposes.

63 5. No fee under this section shall be required or collected from a parent or guardian of
64 a homeless child or homeless youth, as defined in subsection 1 of section 167.020, or an
65 unaccompanied youth, as defined in 42 U.S.C. Section 11434a(6), for the issuance of a
66 certification, or copy of such certification, of birth of such child or youth. An unaccompanied
67 youth shall be eligible to receive a certification or copy of his or her own birth record without
68 the consent or signature of his or her parent or guardian; provided, that only one certificate
69 under this provision shall be provided without cost to the unaccompanied or homeless youth.
70 For the issuance of any additional certificates, the statutory fee shall be paid.

71 **6. (1) Notwithstanding any provision of law, no fee shall be required or collected**
72 **for a certification of birth if the request is made by a victim of domestic violence or**
73 **abuse, as those terms are defined in section 455.010, and the victim provides**
74 **documentation signed by an employee, agent, or volunteer of a victim service**
75 **provider, an attorney, or a health care or mental health professional, from whom the**
76 **victim has sought assistance relating to the domestic violence or abuse. Such**
77 **documentation shall state that, under penalty of perjury, the employee, agent, or**
78 **volunteer of a victim service provider, the attorney, or the health care or mental health**
79 **professional believes the victim has been involved in an incident of domestic violence or**
80 **abuse.**

81 **(2) A victim may be eligible only one time for a fee waiver under this subsection.**

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